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PTO/SB/05 (08-03)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

*(Only for new nonprovisional applications under 37 CFR § 1.53(b))*

**Certificate of Mailing by Express Mail:**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Attorney Docket No.	0094.03
First Inventor	Gerard R. Lazo et al.
Title	Computer Display Tool for Visualizing Relationships Between and Among Data
Express Mail Label No.	ER 316838696 US

**APPLICATION ELEMENTS**

*See MPEP chapter 600 concerning utility patent application contents.*

1.  Fee Transmittal Form (e.g. PTO/SB/17)  
*(Submit an original and duplicate for fee processing)*
2.  Applicant Claims Small Entity Status  
See 37 CFR 1.27
3.  Specification Total Pages: 28  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) Total Sheets: 9
5.  Oath or Declaration Total Sheets: 1
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76 (2 Pages)

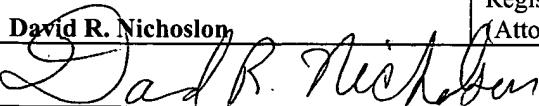
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part(CIP)      of prior application no.:  
Prior application information: Examiner: Art Unit:

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

CUSTOMER NUMBER: **25278**

Name (Print/Type)	David R. Nicholson	Registration No. (Attorney/Agent)	38,981
Signature		Date	December 12, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

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# FEE TRANSMITTAL

## FY04

Effective 10/01/2003. Patent fees are subject to annual revision.

Total Amount of Payment **\$ 1256.00****METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account No. **50-2135**Deposit Account Name: **USDA, ARS, OTT**  
**Patent Advisor****FEE CALCULATION****1. BASIC FILING FEE**

Large Entity:

Code	Fee (\$)	Fee Description	Fee Paid
1001	770	Utility Filing Fee	770.00
1002	340	Design Filing Fee	
1003	530	Plant Filing Fee	
1004	770	Reissue Filing Fee	
1005	160	Provisional Filing Fee	

Subtotal (1) **\$ 770.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims	Fee	Fee Paid
Total Claims 28 -20** = 8	X 18.00	= 144.00

Independent Claims 5 -3** = 2	X 86.00	= 172.00
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Multiple Dependent

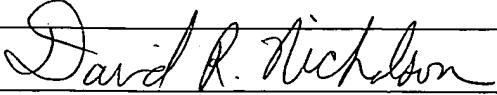
Code	Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	86	Independent claims in excess of 3
1203	290	Multiple dependent claim, if not paid
1204	86	**Reissue independent claims over original patent
1205	18	** Reissue claims in excess of 20 and over original patent

Subtotal (2) **\$ 316.00****Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Gerard R. Lazo et al.
Examiner Name	
Art Unit	
Attorney Docket No.	0094.03

**FEE CALCULATION****3. ADDITIONAL FEES**

Large Entity:	Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge-Late filing fee or oath	
1052	50	Surcharge-late provisional filing fee or cover sheet	
1053	130	Non-English Specification	
1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	Extension for reply within first month	
1252	420	Extension for reply within second month	
1253	950	Extension for reply within third month	
1254	1,480	Extension for reply within fourth month	
1255	2,010	Extension for reply within fifth month	
1401	330	Notice of Appeal	
1402	330	Filing a brief in support of an appeal	
1403	290	Request for oral hearing	
1451	1,510	Petition to institute a public use proceeding	
1452	110	Petition to revive – unavoidable	
1453	1,330	Petition to revive – unintentional	
1501	1,330	Utility issue fee (or reissue)	
1502	480	Design issue fee	
1503	640	Plant issue fee	
1460	130	Petitions to the Commissioner	130.00
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	Request for Continued Examination (RCE)	
1802	900	Request for expedited examination of a design application	
Other fee (specify):			
* Reduced by basic filing fee paid			

Subtotal (3) **\$ 170.00****SUBMITTED BY**Name (Print/Type): **David R. Nicholson**Registration No. **38,981**  
(Attorney/Agent)Telephone: **510-559-5731 or**  
**510-559-6067**Signature: Date: **December 12, 2003**

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT

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Date: December 12, 2003

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Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: David R. Nicholson

Depositor's Signature: David R. Nicholson

Appl. No.	:	New Utility Application
Applicant	:	Gerard R. Lazo et al.
Title	:	Computer Display Tool for Visualizing Relationships Between and Among Data
TC/A.U.	:	Not yet Assigned
Examiner	:	Not yet Assigned
Docket No.	:	0094.03

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION TO SUBMIT COLOR DRAWINGS and**  
**TRANSMITTAL OF FORMAL DRAWINGS**

Sir:

Applicants hereby petition the Commissioner pursuant to 37 CFR 1.84(a)(2) in order to submit color drawings. Color drawings are necessary in this case because the invention is, in part, a graphical display which uses color to help the user see relationships between and among various data.

Accordingly, applicants submit herewith Formal Figures 1-8 (9 pages). Enclosed are Formal Figures 1-6 which are submitted with three (3) sets in color and one (1) set in black and white. Formal Figures 7-8 are submitted in black and white only.

Applicants also submit the fee (\$130.00) required Under 37 CFR 1.17(h) for the filing of this petition.

12/16/2003 FFANAEIA 00000090 502135 10734366

04 FC:1460 130.00 DA

Docket No. 0094.03  
Gerard R. Lazo et al.

**Fee Authorization**

The Commissioner is hereby authorized to charge the required fee of \$130.00 for the filing of this petition to Deposit Account No. 50-2135. The Commissioner is also authorized to charge Deposit Account No. 50-2135 for any additional fees necessitated by the filing of these documents. A duplicate copy of the FY04 Fee Transmittal is also enclosed.

If there are any questions or comments the undersigned attorney earnestly requests a telephone conference.

Respectfully submitted,



David R. Nicholson  
Attorney of Record  
Registration No. 38,981

Telephone: 510-559-5731 or 510-559-6067

Enclosures:

Formal Figures 1-6, 3 sets of color, 1 set of black and white drawings  
Formal Figures 7-8, 1 set of black and white drawings

## NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

### Certificate of Mailing

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First Named Inventor	Gerard R. Lazo et al.
Title	Computer Display Tool For Visualizing Relationships Between and Among Data
Docket Number	0094.03
Express Mail No.	<b>ER 316868696 US</b>
Date	<b>December 12, 2003</b>

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122 (b).

**December 12, 2003**  
Date



Signature

**510-559-5731 or 510-559-6067**  
Telephone Number

**David R. Nicholson**  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must **notify** the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

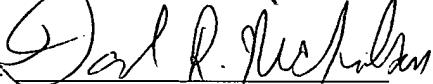
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Date: December 12, 2003

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Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: **David R. Nicholson**

Depositor's Signature: 

Appl. No. : New Utility Application  
Applicant : Gerard R. Lazo et al.  
Title : Computer Display Tool for Visualizing Relationships Between and Among Data

TC/A.U. : Not yet Assigned  
Examiner : Not yet Assigned

Docket No. : 0094.03

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF COMPUTER PROGRAM LISTING APPENDIX**  
**COMPACT DISCS (CD-R) COPIES 1 AND 2**

Sir:

I hereby state that the Computer Program Listing Appendix recorded on the Compact Discs Copy 1 and 2 are identical and are filed herewith in accordance with 37 CFR 1.52(e). The Machine format for each compact disc is IBM-PC, the operating system is Unix, The File names, file size and file creation dates are as follows:

./CCV/src/	0	
./CCV/src/README_CCV.txt	5416	11/24/2003 09:24
./CCV/src/CViewer.java	640741	11/21/2003 13:49
./CCV/src/servletApp.jar	14315	11/21/2003 17:54
./CCV/src/CViewer.html	162	11/21/2003 17:36
./CCV/src/EstsOfLibrary.java	777	11/21/2003 13:48

PATENT

./CCV/src/DataClient.java	14377	11/21/2003 15:42
./CCV/src/Data.java	4449	11/21/2003 13:49
./CCV/src/sampleddata/	0	
./CCV/src/sampleddata/README	309	11/24/2003 09:13
./CCV/src/sampleddata/W_Contig_List.txt	101970	11/24/2003 09:18
./CCV/src/sampleddata/W_libinfo.txt	2159	11/21/2003 19:13
./CCV/src/sampleddata/W_lib_list.txt	458	11/24/2003 09:19
./CCV/src/sampleddata/W_EST_Contig_Lib.txt	1591304	11/24/2003 09:17

Respectfully Submitted,

  
David R. Nicholson  
David R. Nicholson  
Attorney of Record  
Registration No. 38,981

Telephone: (510) 559-5731 or (510) 559-6067

Enclosures:

CD-R's (Copy 1 and Copy 2) of Computer Program Listing Appendix